

**WEDNESDAY, FEBRUARY 14, 2001**

**NINTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by James Capps, Gladeville United Methodist Church, Gladeville, Tennessee.

Representative Beavers led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Brown; illness.

Representative Bunch; family illness.

Representative Pleasant; illness.

**MESSAGE FROM THE SENATE  
February 13, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 5; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED  
February 13, 2001**

The Speaker signed the following: Senate Bill(s) No(s). 5.

**ENROLLED BILLS  
February 13, 2001**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 115, 144; House Joint Resolution(s) No(s). 48, 49, 50, 51; also, House Resolution(s) No(s). 18, 19 and 20.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
February 13, 2001**

The Speaker signed the following: House Bill(s) No(s). 115, 144; House Joint Resolution(s) No(s). 48, 49, 50, 51; also, House Resolution(s) No(s). 18, 19 and 20.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
February 13, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 115 and 144; also, House Joint Resolution(s) No(s). 48, 49, 50 and 51; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
February 14, 2001**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 115 and 144; also, House Joint Resolution(s) No(s). 48, 49, 50 and 51.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR  
February 14, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 4, 5, 6, 7, 8, 9 and 12, with his approval.

JAY BALLARD, Counsel to the Governor.

**MESSAGE FROM THE SENATE**  
**February 14, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 44, 45, 47, 64, 73 and 74; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Joint Resolution No. 44** -- Memorials, Recognition - James C. Hill, Maryville civic and business leader. by \*Clabough.

**Senate Joint Resolution No. 45** -- Memorials, Death - Dennis E. Lilly. by \*Crowe.

**Senate Joint Resolution No. 47** -- Memorials, Congratulations - Sarah Evetts, Owner/Operator of Ethridge TV Station, W10BV. by \*Jackson.

**Senate Joint Resolution No. 64** -- Memorials, Personal Occasion - John Eugene Fowler, 70th birthday. by \*Fowler.

**Senate Joint Resolution No. 73** -- Memorials, Academic Achievement - Phi Theta Kappa All-Tennessee Academic Team for 2001. by \*Miller J.

**Senate Joint Resolution No. 74** -- General Assembly, Recess/Reconvene - Recesses General Assembly for Presidents' Day holiday from close of business on Thursday, February 15, until Wednesday, February 21. by \*Crutchfield, \*Atchley.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 15, 2001:

**House Resolution No. 24** -- Memorials, Personal Achievement - Earlice Taylor. by \*Brooks, \*Turner (Shelby), \*DeBerry J, \*Miller L, \*Cooper B, \*Towns.

**House Joint Resolution No. 69** -- Memorials, Sports - 2000 Maryville High School football team, Tennessee Secondary School Athletic Association Class 4A state champions. by \*Overbey, \*McCord.

**House Joint Resolution No. 70** -- Memorials, Personal Occasion - Miss Sudie Weatherspoon Pruett, 90th birthday. by \*Shepard.

**House Joint Resolution No. 71** -- Memorials, Death - Raymond Jeffrey Council. by \*West.

**House Joint Resolution No. 73** -- Memorials, Congratulations - Phi Theta Kappa All-Tennessee Academic Team. by \*Newton, \*McKee.

**House Joint Resolution No. 74** -- Memorials, Congratulations - Bartlett Garden Club. by \*Hargett.

## **WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

**House Joint Resolution No. 76** -- Memorials, Death - Elmer Marshall. by \*Brooks, \*Turner (Shelby), \*DeBerry J, \*Miller L, \*Cooper B, \*Towns.

**House Joint Resolution No. 77** -- Memorials, Retirement - Barbara Mott. by \*Hargrove.

### **SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 15, 2001:

**Senate Joint Resolution No. 44** -- Memorials, Recognition - James C. Hill, Maryville civic and business leader. by \*Clabough.

**Senate Joint Resolution No. 45** -- Memorials, Death - Dennis E. Lilly. by \*Crowe.

**Senate Joint Resolution No. 47** -- Memorials, Congratulations - Sarah Evetts, Owner/Operator of Ethridge TV Station, W10BV. by \*Jackson.

**Senate Joint Resolution No. 64** -- Memorials, Personal Occasion - John Eugene Fowler, 70th birthday. by \*Fowler.

**Senate Joint Resolution No. 73** -- Memorials, Academic Achievement - Phi Theta Kappa All-Tennessee Academic Team for 2001. by \*Miller J.

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1256** -- Lawrenceburg - Subject to local approval, rewrites charter. Amends Chapter 457 of the Acts of 1901; as amended. by \*White.

**House Bill No. 1257** -- Lawrenceburg - Subject to local approval, rewrites charter. Amends Chapter 457 of the Acts of 1901; as amended. by \*White.

**House Bill No. 1258** -- Medical Occupations - Requires committee on physician assistants to issue license to person who would have been grandfathered in as physician assistant prior to 7/1/91, but who at time did not continue to represent to be or function as physician assistant. Amends TCA Section 63-19-105. by \*Patton.

**House Bill No. 1259** -- Controlled Substances - Makes gamma hydroxybutyric acid Schedule I controlled substance and gamma hydroxybutyric acid contained within FDA approved drug Schedule III; deletes both from Schedule IV; defines and makes criminal analogues of Schedule I or II controlled substance. Amends TCA Title 39, Chapter 13, Part 5 and Title 39, Chapter 17, Part 4. by \*Shepard.

**House Bill No. 1260** -- Education - Authorizes University of Tennessee employees to elect lump sum distribution on retirement of 50 percent of accrued retirement benefits. Amends TCA Section 8-34-705, Section 8-35-117 and Section 49-9-106. by \*Baird.

**House Bill No. 1261** -- Springfield - Subject to local approval, authorizes city to impose fees on developing land within service area of city-owned utility. Amends Chapter 1 of the Private Acts of 1989; as amended. by \*Davidson.

**House Bill No. 1262** -- Newport - Subject to local approval, expands Utility Board from five to seven; authorizes two members to reside outside city limits so long as such persons own real property, fee simple, within city and are qualified to vote in city elections; effective January, 1 2002, authorizes board to privatize utility services. Amends Chapter 495 of the Private Acts of 1939; as amended. by \*Davis (Cocke).

**House Bill No. 1263** -- Greene County - Subject to local approval, redirects proceeds of hotel/motel tax. Amends Chapter 127 of the Private Acts of 1986; as amended. by \*Whitson, \*Davis (Cocke).

**House Bill No. 1264** -- Monroe County - Subject to local approval, authorizes county to regulate location and development of mobile home and travel trailer parks. Amends Chapter. by \*McKee, \*Johnson.

**\*House Bill No. 1265** -- Sewage - Allows municipality without sewage system to lay lines through another municipality with system to gain access to distant system where municipality with system has capacity but refuses access or unreasonably conditions use or access to such system. Amends TCA Title 7. by \*Patton.

**House Bill No. 1266** -- Health Care - Increases authorized number of intermediate care and mental retardation beds for facilities that make additional beds available to poor persons generally and elderly poor. Amends TCA Section 71-5-105. by \*Wood.

**House Bill No. 1267** -- Forest and Forest Products - Prohibits clear cutting in Standing Stone State Park. Amends TCA Title 11. by \*Windle.

**House Bill No. 1268** -- Real Estate Agents and Brokers - Authorizes real estate brokers who do not engage in activities requiring earnest money to close escrow accounts; specifies method for brokers without escrow accounts who accept earnest money deposits to open new escrow account. Amends TCA Title 62, Chapter 13, Part 3. by \*Wood.

**House Bill No. 1269** -- Jackson - Subject to local approval, revises certain provisions of city charter. Amends Chapter 101 of the Private Acts of 1993; as amended. by \*Kisber, \*Shaw.

**House Bill No. 1270** -- Public Utilities - Renames "universal service support mechanism" to "universal service program"; creates universal service program support mechanism fund as special reserve account in general fund. Amends TCA Section 65-5-207. by \*Kisber.

**WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

**House Bill No. 1271** -- Taxes - Clarifies definition of "non-profit" under franchise and excise tax law; increases allowable rent from non-profit entity for property tax exemption purposes from \$1.00 to \$2.00 per year; expands definition of "hospital" for sales tax exemption purposes to include "hospital system." Amends TCA Title 67. by \*Kisber.

**House Bill No. 1272** -- Attorney General and Reporter - Requires that attorney general receive written notice of proceedings brought against state; requires commissioner of revenue to consult with attorney general on tax law issues. Amends TCA Title 48 and Title 67. by \*Kisber.

**House Bill No. 1273** -- TennCare - Proclaims intent of general assembly to stabilize TennCare, to work to assure that health care providers are timely paid, and to insure that health care facilities for urban and rural enrollees remain viable. Amends TCA Title 3; Title 33; Title 36; Title 37; Title 47; Title 56; Title 63; Title 68 and Title 71. by \*Kisber.

**House Bill No. 1274** -- TennCare - Establishes permanent essential access fund for reimbursement to hospitals that provide above-average amount of TennCare or charity services. Amends TCA Title 71. by \*Kisber.

**House Bill No. 1275** -- Taxes, Exemption - Exempts from franchise and excise taxes certain entities engaged in real estate rental business. Amends TCA Title 67, Chapter 4. by \*Kisber.

**House Bill No. 1276** -- Driver Licenses - Requires decision regarding anatomical gift to be made at time of application for original driver license or renewal driver license and requires department of safety to superimpose "Y" or "N" on reverse side of license to reflect owner's decision. Amends TCA Title 55, Chapter 50 and Title 68, Chapter 30. by \*Kisber.

**House Bill No. 1277** -- Welfare - Increases daily penalty from \$10.00 to \$15.00 for hospital, nursing home, or health care vendor under Medicaid program which does not adopt uniform classification of accounts established by department of human services or that does not submit certified statements or cost data when required by department. Amends TCA Title 71. by \*Kisber.

**House Bill No. 1278** -- Insurance, Health, Accident - Provides for health insurance coverage for non-professional local education employees. Amends TCA Title 8, Chapter 27, Part 3. by \*Kisber.

**House Bill No. 1279** -- Tobacco Master Settlement Agreement - Requires state treasurer to study feasibility of securitizing state's future Master Settlement Agreement funds by transferring rights thereto to TCRS in exchange for appropriate consideration. Amends TCA Title 4, Chapter 3, Part 18; Title 4, Chapter 3, Part 8; Title 4, Chapter 31; Title 4, Chapter 3, Part 2; Title 9; Title 43; Title 49; Title 68 and Title 71, Chapter 5. by \*Kisber.

**House Bill No. 1280** -- Taxes, Business - Clarifies that dealers who obtain financing for customers for which they are compensated by lender are exempt from business tax to extent of such compensation. Amends TCA Title 67, Chapter 4. by \*Kisber.

**WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

**House Bill No. 1281** -- Taxes, Business - Clarifies that additional consideration received by dealer from lender for sale or assignment to lender of chattel lease or conditional sales contract is not within definition of "sales price" for purposes of business tax. Amends TCA Title 67. by \*Kisber.

**House Bill No. 1282** -- Insurance Companies, Agents, Brokers, Policies - Permits any mutual insurance company other than life insurance company to become mutual charter stock insurance company. Amends TCA Title 56. by \*Kisber.

**House Bill No. 1283** -- Taxes, Sales - Increases, from \$500 to \$750, threshold for exchange of sales and use tax transactions with other states under reciprocity agreement. Amends TCA Title 7; Title 12; Title 30; Title 57 and Title 67. by \*Langster.

**House Bill No. 1284** -- Alcoholic Beverages - Requires municipalities and counties to conduct criminal background check prior to issuance of local certificate for license for retail sale of alcoholic spirituous beverages. Amends TCA Title 57, Chapter 3, Part 2 and Title 57, Chapter 3, Part 5. by \*Langster, \*Jones, S., \*Pruitt.

**House Bill No. 1285** -- Motor Vehicles - Authorizes use of blue lights on motor vehicles of commissioned security officers employed by private universities with enrollment and employment greater than 9,000. Amends TCA Title 55. by \*Langster, \*Jones, S., \*Pruitt, \*Harwell.

**\*House Bill No. 1286** -- Tennessee Regulatory Authority - Directs TRA to develop program to increase access to educational technology by underserved school-age children. Amends TCA Title 65. by \*Armstrong, \*Tindell.

**House Bill No. 1287** -- General Assembly, Studies - Extends special committee to study issues relating to natural gas distribution and deregulation of natural gas in Tennessee from February 1, 2001, until February 1, 2003. Amends TCA Section 7-82-301 and Title 65. by \*Armstrong, \*Curtiss, \*Fitzhugh, \*Cole (Carter), \*McDaniel, \*Tindell.

**House Bill No. 1288** -- Checks, Deferred Presentments - Permits deferred presentment licensees to collect handling charge of \$20.00 for NSF check or check returned for closed account or stop payment; authorizes licensees to collect court costs and attorney fees for civil actions to collect unpaid checks. Amends TCA Section 45-17-112. by \*DeBerry L., \*Rinks, \*McDaniel.

**House Bill No. 1289** -- Health Care - Adds representative of assisted care living facility industry to board for licensing health care facilities; such person to be appointed by governor and to serve four-year term. Amends TCA Section 68-11-203. by \*Arriola, \*Jones, S..

**House Bill No. 1290** -- Pensions and Retirement Benefits - Allows local government retirees with 25 years of service and one full year of participation in state group insurance plan to retain coverage in such plan after retirement. Amends TCA Title 8, Chapter 27. by \*Baird.

**House Bill No. 1291** -- Industrial Development - Unless otherwise authorized by local ordinance or resolution, specifies industrial development board of directors serve without compensation and are reimbursed for actual expenses incurred in performance of duties. Amends TCA Section 7-53-301. by \*Phillips.

**\*House Bill No. 1292** -- Accountants - Exempts from peer review requirements financial statements in which practitioner compiles information but does not review supporting evidence for such information; exempts persons 70 years and older from continuing education requirements. Amends TCA Title 62, Chapter 1. by \*Arriola.

**\*House Bill No. 1293** -- Physicians and Surgeons - Enacts "Access to Medical Treatment Act." Amends TCA Title 34 and Title 63. by \*Arriola, \*Pinion, \*Jones, S..

**House Bill No. 1294** -- Welfare - Permits time extension of eligibility for Families First program if persons seeking such extensions are attending school full time or are unable to find work for reasons beyond their control. Amends TCA Title 71. by \*Arriola.

**House Bill No. 1295** -- Mental Health and Developmental Disabilities, Dept. of - Creates licensed senior psychological examiner and certified psychological assistant as new levels of psychological practice. Amends TCA Title 33; Title 40; Title 56; Title 63 and Title 68. by \*Arriola.

**House Bill No. 1296** -- Telecommunications - Redefines "cable system" to include open video system with respect to overlapping franchises; prohibits franchising authority from employing terms more favorable or less burdensome on open video system than imposed on private provider to same extent as with municipal electric system. Amends TCA Section 7-59-201 and Section 7-59-102. by \*Kent.

**House Bill No. 1297** -- Insurance, Health, Accident - Establishes policies and procedures to be used in utilization review for mental illness and substance abuse treatment. Amends TCA Title 56. by \*Ferguson.

**House Bill No. 1298** -- Open Meetings - Clarifies that meetings of judicial selection commission are subject to open meetings law. Amends TCA Title 17, Chapter 4, Part 1 and Title 17, Chapter 4, Part 2. by \*Bunch.

**House Bill No. 1299** -- Checks, Deferred Presentments - Requires licensees of deferred presentment services to preserve books, accounts, and records for at least three years instead of two years. Amends TCA Title 45, Chapter 17, Part 1. by \*Bowers.

**House Bill No. 1300** -- Domestic Violence - Adds commissioner of labor and workforce development, or commissioner's representative, to domestic violence state coordinating council. Amends TCA Title 4; Title 38, Chapter 12 and Title 50. by \*Bowers.

**House Bill No. 1301** -- Education - Requires TCAP scores to be disaggregated prior to public release. Amends TCA Title 49, Chapter 1, Part 6; Title 49, Chapter 6, Part 60 and Section 49-1-211. by \*Turner (Shelby), \*Jones U (Shelby), \*DeBerry J, \*Miller L, \*Brooks, \*Bowers.

**House Bill No. 1302** -- Unclaimed Property - Limits time for filing unclaimed property report; requires specific reporting of safe deposit box contents; authorizes specific reporting of securities; defines wages. Amends TCA Section 66-29-113; Section 66-29-115 and Section 66-29-136. by \*Fitzhugh.



**House Bill No. 1303** -- State Government - Reassigns oversight of state treasurer's procurement of state insurance coverage from general assembly's fiscal review committee, commissioner of general services, and state building commission to board of claims; requires treasurer to report to fiscal review committee and building commission on insurance program. Amends TCA Section 12-3-901; Section 12-3-902; Section 12-3-906 and Section 12-3-908. by \*White.

**House Bill No. 1304** -- State Government - Abolishes Security for Public Deposits Task Force; authorizes governor, state treasurer, and commissioner of finance and administration, in interest of state's business, to declare financial institution as "state depository"; changes membership of collateral pool board. Amends TCA Section 4-29-223(a)(22); Section 9-4-107; Section 9-4-506 and Section 9-4-521. by \*Kisber.

**House Bill No. 1305** -- Tobacco Master Settlement Agreement - Authorizes Tennessee consolidated retirement system board to invest funds received from tobacco master settlement agreement. by \*Kisber.

**House Bill No. 1306** -- Insurance Companies, Agents, Brokers, Policies - Includes guaranteed investment contracts and funding agreements under definitions of "annuities" and "unallocated annuity contracts" for certain purposes. Amends TCA Section 56-9-330. by \*Fowlkes.

**House Bill No. 1307** -- Motor Vehicles, Titling and Registration - Authorizes issuance of distinctive license plates for recipients of Silver Star and recipients of Bronze Star. Amends TCA Title 55, Chapter 4. by \*Ridgeway.

**\*House Bill No. 1308** -- Parks, Natural Areas Preservation - Designates Sequatchie Cave and Langford Branch natural-scientific areas; increases size of four natural-scientific areas; authorizes \$10,000 fine for damaging natural area. Amends part 1 of Chapter 14 of Title 11 of the Tennessee Code. by \*White, \*Fraley.

**House Bill No. 1309** -- Personal Property - Allows treasurer to file complaint in chancery court against holder of abandoned property that should have been paid to treasurer; prevents holder from delivering to treasurer property abandoned more than 10 years. Amends TCA Title 66, Chapter 29. by \*Fowlkes.

**House Bill No. 1310** -- Personal Property - Specifies that outstanding checks, credits, drafts, overpayments, or remittances shall not be considered abandoned even if unclaimed and in business owner's possession. Amends TCA Title 66, Chapter 29. by \*Fowlkes.

**House Bill No. 1311** -- Forest and Forest Products - Enacts "Tennessee Industrial Chipmill Facility Impact Review and Taxpayer Protection Act of 2001." Amends TCA Title 11, Chapter 4. by \*Arriola, \*Scroggs.

**House Bill No. 1312** -- Criminal Offenses - Changes name of "Money Laundering Act of 1996" to "Illegal Use of Criminal Proceeds Act of 1996" and adds new definition of "proceeds" to act. Amends TCA Title 39, Chapter 14, Part 6 and Title 39, Chapter 14, Part 9. by \*Boyer.

**\*House Bill No. 1313** -- Consumer Protection - Requires persons conducting automotive repairs over \$50.00 in cost to give, upon request, written estimate of labor and materials; repairs cannot be over 10 percent of estimate without consent of customer. Amends TCA Title 47, Chapter 18. by \*Patton.

**\*House Bill No. 1314** -- Hospitals and Health Care Facilities - Limits pain and suffering award to \$350,000 from all defendants in personal injury action against nursing home; personal injury action defined. Amends TCA Title 25; Title 29 and Title 68. by \*Patton.

**\*House Bill No. 1315** -- Licenses - Allows disabled former law enforcement officers to obtain hunting and fishing license at discounted rate. Amends TCA Title 70, Chapter 2. by \*Patton.

**House Bill No. 1316** -- Public Utilities - Requires party responsible for excavation or demolition project to install new underground utility with sufficient clearance to permit maintenance of existing utilities and to avoid damaging existing utilities. Amends TCA Section 65-31-110. by \*Head, \*Curtiss, \*Winningham, \*Fitzhugh, \*Phillips.

**House Bill No. 1317** -- Education, Higher Amends and clarifies various provisions of Tennessee Baccalaureate Education System Trust (BEST) Act regarding purchasers in tuition contracts. Amends TCA Section 49-7-802; Section 49-7-805(13), 49-7-809(a)(2) and Section 49-7-811. by \*Davidson.

**House Bill No. 1318** -- Education, Higher - Reclassifies "individual" as "person" under Tennessee Baccalaureate Education System Trust (BEST) Act as one that purchases tuition units or makes contributions to account. Amends TCA Title 49, Chapter 7, Part 8. by \*Davidson.

**House Bill No. 1319** -- State Employees - Directs individuals administering or providing services to deferred or tax sheltered compensation plans to respond to subpoena with required documents and specified affidavit within 14 days of service. Amends TCA Title 8; Chapter 25, Parts 1, 3, and 5. by \*Davidson.

**House Bill No. 1320** -- Tort Liability - Changes requirement that board of claims not hear claim filed over one year from date of incident from permissive to mandatory. Amends TCA Title 9, Chapter 8. by \*Davidson.

**House Bill No. 1321** -- State Government - Requires Security for Public Deposits Task Force to meet whenever state treasurer calls such meetings, instead of at least once every two years. Amends TCA Title 9, Chapter 4. by \*Davidson.

**House Bill No. 1322** -- Public Contracts - Removes provision that specifies all state insurance policies purchased after July 1, 1970, are subject to established purchasing procedure. Amends TCA Section 9-8-108; Section 9-8-110 and Title 12, Chapter 3, Part 9. by \*Davidson.

**House Bill No. 1323** -- Victims' Rights - Renames "individual" as "person" under Criminal Injuries Compensation Act. Amends TCA Section 40-24-107 and Section 67-4-606. by \*Davidson.

**WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

**House Bill No. 1324** -- Treasurer, State - Specifies that treasurer is to keep record of all final reports submitted concerning abandoned property. Amends TCA Title 66, Chapter 29, Part 1. by \*Davidson.

**House Bill No. 1325** -- Tort Liability - Provides that if governmental entity purchases liability insurance policy with limits in excess of limits established by law, higher limits apply to any judgment against entity regardless of whether it waives statutory limits. Amends TCA Title 29. by \*McMillan.

**House Bill No. 1326** -- Insurance Companies, Agents, Brokers, Policies - Establishes civil and criminal penalties for insurance fraud. Amends TCA Section 39-14-133 and Title 56. by \*McMillan.

**House Bill No. 1327** -- Animals and Animal Cruelty - Enacts "Pet Protection Act of 2001." Amends TCA Title 44, Chapter 17. by \*McMillan.

**House Bill No. 1328** -- Uniform Laws - Enacts "Revised Uniform Partnership Act of 2001." Amends TCA 61-1-148 and repeals TCA Sections 61-1-101 to 61-1-142. by \*McMillan.

**House Bill No. 1329** -- Architects, Engineers and Designers - Deletes present requirement of approval of department of commerce and insurance for administrative person and board members of architectural and engineering state board of examiners to attend state, regional, and national registration meetings. Amends TCA Section 62-2-206. by \*Armstrong.

**House Bill No. 1330** -- Architects, Engineers and Designers - Authorizes board of examiners for architects and engineers to promulgate rules to require architect or engineer to provide construction contract administration services on all buildings except for those buildings exempt from oversight by board. Amends TCA Section 62-2-102. by \*Armstrong.

**House Bill No. 1331** -- Professions and Occupations - Revises composition of board of psychology and practice law related to psychology, psychological examiners, and certified psychological assistants; establishes four levels of practice instead of current two. Amends TCA Title 63. by \*Armstrong.

**House Bill No. 1332** -- Education - Clarifies that doctor authorized to perform complete medical examination or medical assessment of child entering school for first time includes doctor of medicine or doctor of osteopathy. Amends TCA Title 49, Chapter 6, Part 30. by \*Armstrong.

**House Bill No. 1333** -- Boards and Commissions - Gives board of osteopathic examiners authority to set by rule number and type of continuing education hours necessary to renew license as osteopathic physician instead of setting hours in law at 16 clock hours of formal postgraduate education in program, internship, or residency approved by board. Amends TCA Section 63-9-107. by \*Armstrong.

**House Bill No. 1334** -- Child Custody and Support - Expands sources of payment of mediation and education under parenting plans to include other available funds, in addition to federal, state, and local funds. Amends TCA Title 36, Chapter 6, Part 4. by \*Buck.

**\*House Bill No. 1335** -- Utilities, Utility Districts - Authorizes increase in per diem that may be received by certain utility district commissioners in counties having charter form of government. Amends TCA Section 7-82-308. by \*Buttry.

**House Bill No. 1336** -- Firearms and Ammunition - Exempts from criminal background checks redeeming of firearm from pawnbroker by same person who pawned such firearm. Amends TCA Title 39, Chapter 17, Part 13. by \*Tidwell.

**House Bill No. 1337** -- Firearms and Ammunition - Exempts from criminal background check persons who have valid concealed carry permit at time they purchase firearm. Amends TCA Title 39, Chapter 17, Part 13. by \*Tidwell.

**House Bill No. 1338** -- Morristown - Subject to referendum approval, renames board of electric light and waterworks commissioners of city of Morristown as Morristown Utilities Commission; expands commission and authority; changes terms of office and provides method of appointment and filling vacancies. Amends Chapter 392 of the Acts of 1901. by \*Ford S.

**House Bill No. 1339** -- Medical Occupations - Specifies that upon submission of application and appropriate fees, emergency medical services license to be issued if applicant is Tennessee resident, is employed by service operating in Tennessee, or is non-resident licensed in another state, in good standing, if applicant's state of residence grants same or similar reciprocity privileges to Tennessee residents licensed and in good standing. Amends TCA Title 68, Chapter 140, Part 5. by \*Shepard.

**House Bill No. 1340** -- Public Funds and Financing - Allows Davidson County to elect not to have processing fee for credit or debit cards transactions. Amends TCA Section 9-1-108. by \*Jones, S..

**House Bill No. 1341** -- Taxes, Sales - Reestablishes tax amount due and owing on aircraft sales to sales tax rate on first \$100,000 and 3 percent on amounts in excess of \$100,000. Amends TCA Title 4, Chapter 29, Part 2 and Title 67, Chapter 6, Part 2. by \*Head.

**House Bill No. 1342** -- Pensions and Retirement Benefits - Provides minimum contribution of \$50.00 for supplemental medical insurance premiums for state retirees with 30 or more years of service, subject to appropriations. Amends TCA Section 8-27-702. by \*Head, \*Rhinehart, \*Lewis.

**House Bill No. 1343** -- Human Rights Commission - Exempts investigators of commission from licensing and regulatory requirements of private security guards/officers. Amends TCA Section 4-21-302. by \*Hagood.

**House Bill No. 1344** -- Arrests - Prior to issuance of arrest warrant, requires magistrate, in addition to other statutory factors, to also examine facts that establish informant's basis of knowledge, informant's reliability, and reliability of informant's information. Amends TCA Title 40, Chapter 6, Part 2. by \*Hagood.

**House Bill No. 1345** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Motorcycle Safety new specialty earmarked license plate; allocates 50 percent of funds produced from sale thereof to department of safety for motorcycle education and safety initiatives. Amends TCA Title 55. by \*Hagood.

## **WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

**House Bill No. 1346** -- County Officers - Removes code sections outlining appointment of and oath of office for project superintendents. Amends TCA Title 5, Chapter 7, Part 1. by \*Hagood.

**House Bill No. 1347** -- Firefighters - Imposes 0.32 percent fee on fire insurance premiums to finance health and accident insurance policies for all volunteer firefighters while performing firefighting duties. Amends TCA Title 56 and Title 68, Chapter 102. by \*Bunch.

**House Bill No. 1348** -- Teachers, Principals and School Personnel - Requires binding arbitration to resolve disputes in teachers professional agreements with LEAs. Amends TCA Section 49-5-612. by \*Turner (Davidson), \*Jones, S., \*Davidson, \*Jones U (Shelby), \*Cooper B, \*Turner (Shelby), \*Shaw, \*Shepard.

**\*House Bill No. 1349** -- Taxes, Exemption - Includes in definition of manufacturer for sales tax exemption purposes business which rebuilds aircraft engines as its principal business. Amends TCA Section 67-6-206. by \*Overbey, \*McCord.

### **SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 3** -- Traffic Safety - Permits computer or other electronic displays in utility motor vehicles to be used by utility employee only while vehicle is stopped, standing or parked. Amends TCA Section 55-9-105. by \*Atchley, \*Rochelle, \*Burchett, \*Henry. (HB126 by \*Rhinehart, \*Cole (Carter), \*Cole (Dyer), \*Davis (Cocke))

**\*Senate Bill No. 23** -- General Assembly - Prohibits smoking in restrooms and hallways of War Memorial Building and Legislative Plaza. by \*Kurita, \*Blackburn, \*Rochelle, \*Cohen, \*Cooper J, \*Burchett, \*Trail, \*Dixon, \*Jackson, \*Herron. (HB137 by \*Black)

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1205** -- Mental Illness -- House Judiciary Committee

**House Bill No. 1206** -- Mental Health and Developmental Disabilities, Dept. of -- House Health and Human Resources Committee

**House Bill No. 1207** -- Alcoholic Beverages -- House State and Local Government Committee

**House Bill No. 1208** -- Divorce, Annulment and Alimony -- House Children and Family Affairs Committee

**\*House Bill No. 1209** -- Telecommunications -- House Commerce Committee

**WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

**House Bill No. 1210** -- Utilities, Utility Districts -- House Judiciary Committee

**House Bill No. 1211** -- Forest and Forest Products -- House Conservation and Environment Committee

**House Bill No. 1212** -- Bad Checks -- Caption Bill Held on House Desk

**House Bill No. 1213** -- Firearms and Ammunition -- House Judiciary Committee

**House Bill No. 1214** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**House Bill No. 1215** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**House Bill No. 1216** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**House Bill No. 1217** -- Limitation of Actions -- House Judiciary Committee

**House Bill No. 1218** -- Civil Procedure -- House Judiciary Committee

**House Bill No. 1219** -- County Officers -- House State and Local Government Committee

**House Bill No. 1220** -- Consumer Protection -- House Consumer and Employee Affairs Committee

**House Bill No. 1221** -- Health Care -- House Health and Human Resources Committee

**House Bill No. 1222** -- Forest and Forest Products -- Caption Bill Held on House Desk

**House Bill No. 1223** -- Insurance Companies, Agents, Brokers, Policies -- House Government Operations Committee

**House Bill No. 1224** -- Aged Persons -- House Government Operations Committee

**House Bill No. 1225** -- Claims Commission, Tennessee -- House Judiciary Committee

**House Bill No. 1226** -- Driver Licenses -- House Transportation Committee

**House Bill No. 1227** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 1228** -- Traffic Safety -- House Transportation Committee

**House Bill No. 1229** -- Sexual Offenses -- House Judiciary Committee

**WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

- House Bill No. 1230** -- Transportation, Dept. of -- House Transportation Committee
- House Bill No. 1231** -- Traffic Safety -- House Transportation Committee
- House Bill No. 1232** -- Driver Licenses -- House Transportation Committee
- House Bill No. 1233** -- Tort Liability -- House Judiciary Committee
- House Bill No. 1234** -- Aged Persons -- House Government Operations Committee
- House Bill No. 1235** -- Licenses -- House Government Operations Committee
- House Bill No. 1236** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee
- House Bill No. 1237** -- Motor Vehicles, Titling and Registration -- House Transportation Committee
- House Bill No. 1238** -- Collection Agencies -- House Consumer and Employee Affairs Committee
- House Bill No. 1239** -- Medical Occupations -- House Judiciary Committee
- House Bill No. 1240** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 1241** -- Financial Responsibility Law -- House Transportation Committee
- House Bill No. 1242** -- Autopsies -- House Government Operations Committee
- House Bill No. 1243** -- Divorce, Annulment and Alimony -- House Commerce Committee
- House Bill No. 1244** -- Bond Issues -- House Finance, Ways and Means Committee
- House Bill No. 1245** -- Driver Licenses -- House Transportation Committee
- House Bill No. 1246** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk
- House Bill No. 1247** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk
- House Bill No. 1248** -- Children -- House Children and Family Affairs Committee
- House Bill No. 1249** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

## **WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY**

**House Bill No. 1250** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**House Bill No. 1251** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**House Bill No. 1252** -- Tobacco Master Settlement Agreement -- House Finance, Ways and Means Committee

**House Bill No. 1253** -- Insurance, Health, Accident -- House Commerce Committee

**House Bill No. 1254** -- Managed Care Organizations -- House Commerce Committee

**House Bill No. 1255** -- Fiscal Review Committee -- House Finance, Ways and Means Committee

### **REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 13, 2001**, reported the following:

#### **HEALTH AND HUMAN RESOURCES**

The Health and Human Resources Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 605. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### **CONSENT CALENDAR**

**House Resolution No. 21** -- Memorials, Public Service - Eddie Veazey. by \*Ridgeway.

**House Joint Resolution No. 68** -- Memorials, Personal Occasion - Grace Copeland Bilbrey, 102nd birthday. by \*Windle.

**Senate Joint Resolution No. 46** -- Naming and Designating - Designates February 6, 2001, as "Ronald Reagan Day" in Tennessee. by \*Burchett, \*Blackburn.

**Senate Joint Resolution No. 65** -- Memorials, Recognition - Shriners Hospital for Children in Lexington, Kentucky, 75th Anniversary. by \*Crutchfield, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.



## WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0
Present and not voting .....	3

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Arriola, Ferguson, Lewis -- 3.

A motion to reconsider was tabled.

### REGULAR CALENDAR

**\*Senate Joint Resolution No. 1** -- Constitutional Amendments - Empowers general assembly to authorize state lottery; net proceeds to be allocated to provide financial assistance to enable Tennessee citizens to attend in-state post-secondary educational institutions; excess to be appropriated to K-12 capital outlay projects and early learning and after-school programs. by \*Cohen, \*Crutchfield, \*Trail, \*Miller J.

Further consideration of Senate Joint Resolution No. 1 previously considered on February 8, 2001 and February 12, 2001, at which time it was read for the second constitutional reading and reset for today's Calendar.

Rep. Newton requested that the Clerk read Senate Joint Resolution No. 1 for the third constitutional reading.

The Clerk read Senate Joint Resolution No. 1.

Rep. Newton moved that Senate Joint Resolution No. 1 be concurred in.

Rep. Givens moved the previous question, which motion prevailed by the following vote:

Ayes .....	71
Noes .....	18

## WEDNESDAY, FEBRUARY 14, 2001 – NINTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Bittle, Bone, Bowers, Briley, Buttry, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hargett, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Winningham -- 71.

Representatives voting no were: Baird, Beavers, Black, Boyer, Brooks, Chumney, Clem, Cooper, DeBerry J, Dunn, Goins, Hagood, Pinion, Sharp, Towns, Turner (Shelby), Windle, Wood -- 18.

Rep. Newton moved that **Senate Joint Resolution No. 1** be concurred in, which motion prevailed by the following vote:

Ayes .....	80
Noes .....	15
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Baird, Beavers, Bittle, Black, Clem, DeBerry J, Dunn, Goins, Maddox, Mumpower, Phillips, Roach, Sharp, Stanley, Wood -- 15.

Representatives present and not voting were: Boyer -- 1.

Senate Joint Resolution No. 1, having received a vote in the affirmative by two thirds of the members elected to the Tennessee House of Representatives of the One Hundred Second General Assembly, was declared concurred in pursuant to Article 11, Section 3, of the Constitution of Tennessee.

Without objection, a motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. L. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 75 out of order, which motion prevailed.

**House Joint Resolution No. 75** -- Memorials, Congratulations - Marlene Sanders, upon accepting position with Eli Lilly Pharmaceuticals, by \*DeBerry L, \*Naifeh, \*Jones U (Shelby), \*Langster, \*Kisber, \*Davidson, \*Armstrong, \*Miller L, \*Pruitt, \*Bowers, \*DeBerry J, \*Rinks, \*Kent, \*Cole (Carter).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. L. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 135:** Rep(s). Arriola as prime sponsor(s).

**House Bill No. 211:** Rep(s). Fitzhugh as prime sponsor(s).

**House Bill No. 253:** Rep(s). Kisber as prime sponsor(s).

**House Bill No. 292:** Rep(s). Pruitt and Garrett as prime sponsor(s).

**House Bill No. 540:** Rep(s). Phelan, Givens, Montgomery and McCord as prime sponsor(s).

**House Bill No. 605:** Rep(s). Ferguson and Armstrong as prime sponsor(s).

**House Bill No. 749:** Rep(s). McDonald as prime sponsor(s).

**House Bill No. 762:** Rep(s). Hargett as prime sponsor(s).

**House Bill No. 1141:** Rep(s). Turner (Davidson) as prime sponsor(s).

**ENGROSSED BILLS**  
**February 14, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 68.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS  
February 14, 2001**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 21; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
February 14, 2001**

The Speaker signed the following: House Resolution(s) No(s). 21.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS  
February 14, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 75.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
February 14, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 75; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE  
February 14, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 36, 37, 55, 56, 58, 59 and 60; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE  
February 14, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 46 and 65; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED**  
**February 14, 2001**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 46 and 65.

**ROLL CALL**

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**RECESS MOTION**

On motion of Rep. Davidson, the House stood in recess until 9:00 a.m., Thursday, February 15, 2001.